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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Elliot N. Linzer
Serial No.:	10/667,911
Title:	DEVICE FOR SIMULTANEOUS DISPLAY OF VIDEO AT TWO RESOLUTIONS WITH DIFFERENT FRACTIONS OF ACTIVE REGIONS
Filed:	September 22, 2003
Attorney Docket No.:	1496.00325 / 03-1089
Examiner:	Desir, J.
Art Unit:	2622

CERTIFICATE OF MAILING

I hereby certify that this letter, the response or amendment attached hereto are being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 20, 2006.

By: Mary Donna Berkley
Mary Donna Berkley

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request. This request is being filed with a Notice of Appeal by an attorney either of record or acting under 37 CFR 1.34.

REMARKS

Review is requested for the following reasons:

1. The limitations of "a **first video output SIGNAL** having a first resolution" and "a **second video output SIGNAL** having a second resolution," as recited in claims 1, 13 and 14 are not met by Dujmenovic et al. Specifically, one of ordinary skill in the field of the invention would not consider a VIDEO OUTPUT SIGNAL, as presently claimed, to be the same as a VIDEO IMAGE (as assumed by the Examiner on page 3, lines 5-11 of the Advisory Action mailed November 6, 2006 and on page 4 of the final Office Action). In particular, FIG. 1 of the present specification shows an illustration of a VIDEO SIGNAL and FIG. 2 of the present invention shows an illustration of a VIDEO IMAGE.

Dujmenovic et al. similarly do not use the terms VIDEO SIGNAL and VIDEO IMAGE interchangeably. For example, Dujmenovic states:

> In accordance with the specific embodiment of the present invention, **a tuner alternates between receiving a first VIDEO SIGNAL and a second VIDEO SIGNAL**, such that every other frame of a specific signal is received. This is accomplished by writing to an IF1 and IF2 control register, during a vertical blanking interval. Subsequently, **the VIDEO IMAGES are displayed** in full motion video by interpolating the alternating frames of data not received by the tuner (Abstract of Dujmenovic, emphasis added by Applicant's representative).

Dujmenovic further states:

> Once stored in memory 116, **the display engine 118 accesses the memory 116 to retrieve the stored image** and provide it to the display device 120. As discussed previously, with reference to the tuner 110, **data representing multiple images is being received by the tuner 110**, which represent a single tuner. The received information is stored in separate locations within the memory 116 (column 2, lines 35-42 of Dujmenovic, emphasis added by Applicant's representative).

Since the CH1 and CH2 in FIG. 1 of Dujmenovic represent VIDEO IMAGES rather than VIDEO SIGNALS, Dujmenovic does not disclose or suggest all the limitations of the presently claimed invention, arranged as in the present claims. Therefore, Dujmenovic does not provide the factual support necessary for a *prima facie* case of anticipation. As such, the rejection does not appear to be sustainable and should be withdrawn. Also, see the arguments presented on page 9 through page 14 of the Response After Final, filed October 17, 2006, which are herein incorporated by reference.

2. The limitation of "a second circuit configured to receive said decoded video signal at a second input and to present (i) a first video output signal having a first resolution **at a second OUTPUT** and (ii) a second video output signal having a second resolution **at a third OUTPUT**, wherein said first video output signal and said second video output signal are generated in response to said decoded video signal," as recited in claim 1, is not met by Dujmenovic et al. (see the arguments presented on page 11, line 22 through page 12, line 24 of the Response After Final, filed October 17, 2006, which are herein incorporated by reference).

3. The limitation of "means for generating (i) a **first video output SIGNAL** having a first resolution and (ii) a **second video output SIGNAL** having a second resolution in response to said decoded video signal, wherein said first video output signal is presented **at a second OUTPUT** and said second video output signal is presented **at a third OUTPUT**" as recited in claim 13 is not met by Dujmenovic et al.

(see the arguments presented in paragraph 1 above and on page 11, line 22 through page 12, line 24 of the Response After Final, filed October 17, 2006, which are herein incorporated by reference).

4. The limitations of "(B) generating (i) a **first video output SIGNAL** having a first resolution and (ii) a **second video output SIGNAL** having a second resolution in response to said decoded video signal" and "(C) presenting (i) said first video output signal **at a second OUTPUT** and (ii) said second video output signal **at a third OUTPUT**," as recited in claim 14, are not met by Dujmenovic et al. (see the arguments presented in paragraph 1 above and on page 11, line 22 through page 12, line 24 of the Response After Final, filed October 17, 2006, which are herein incorporated by reference).

5. The limitations of the first **video OUTPUT signal** comprising a standard definition video signal and the second **video OUTPUT signal** comprising a high definition video signal, as claimed in claims 11 and 25, are not met by Dujmenovic et al. and Abe, alone or in combination. Specifically, a person of ordinary skill in the field of the invention would not consider the INPUT signals received at terminals 1 and 10 in FIG. 1 of Abe as being the same as the **first video OUTPUT signal** and the **second video OUTPUT signal** generated in response to a single decoded video signal, as presently claimed in claim 11 (which depends from claim 1 and, therefore, includes the limitations of claim 1) and claim 25 (which depends from claim 14 and, therefore, includes the limitations of claim 14). Therefore, the final Office Action, mailed August 25, 2006, does not provide the factual support necessary

for a *prima facie* conclusion of obviousness. As such, the rejections do not appear to be sustainable and should be withdrawn.

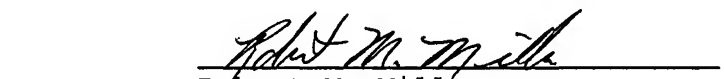
Applicant's representative believes that clear errors in the Examiner's rejection(s) exist or the Examiner has omitted one or more essential elements needed for a *prima facie* rejection. For example, (i) a limitation is not met by a reference or (ii) the Examiner failed to show proper motivation for making a modification in an obviousness rejection under 35 U.S.C. §103.

The Examiner is respectfully invited to call the Applicant's representative during the hours of 9:00 a.m. to 5:00 p.m. ET at 586-498-0670 should it be deemed beneficial to further advance prosecution of the application.

If any additional fees are due, please charge Deposit Account No. 12-2252.

Respectfully submitted,

CHRISTOPHER P. MAIORANA, P.C.



Robert M. Miller
Registration No. 42,892

Dated: November 20, 2006

c/o Henry Groth
Intellectual Property Law Department
LSI Logic Corporation
1621 Barber Lane
MS: D-106 Legal
Milpitas, CA 95035

Docket No.: 1496.00325 / 03-1089

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